

FOR INFORMATION  
DA-2003-7  
March 11, 2003

SUBJECT: Sudden Oak Death (SOD), *Phytophthora ramorum*, Expansion of  
Listed Regulated Articles--California and Oregon

TO: STATE AND TERRITORY AGRICULTURAL REGULATORY OFFICIALS

On February 14, 2002, APHIS published an interim rule (7 CFR 301.92) in the Federal Register for SOD. This rule regulates the artificial spread of this disease causing organism from moving out of the counties where the disease is established. We have now learned that certain plant parts of additional hosts require regulating in order to control the artificial spread of this disease.

Researchers in Europe have identified three new species as being associated with SOD. All of these were found in a nursery or nursery setting. These new hosts are Andromeda (*Pieris formosa* - *Ericaceae*), Laurustinus (*Viburnum tinus* - *Caprifoliaceae*), and Camellia (*Camellia japonica* - *Theaceae*).

Therefore, effective immediately the following are restricted articles under 7 CFR 301.92:

- C Andromeda, plants and all parts except clean seeds
- C Laurustinus, plants and stems
- C Camellia, leaves

This action is authorized by the Plant Protection Act of June 20, 2002, Section 412(a), which authorizes the Secretary of Agriculture to prohibit or restrict the movement in interstate commerce of any plant, plant part, or article if the Secretary determines the prohibition or restriction is necessary to prevent the dissemination of a plant pest within the United States. This action is also authorized by 7 CFR 301.92-2(b)(2) which designates as restricted articles any other product or article that an inspector determines to present a risk of spreading SOD. This designation requires the inspector to notify the person in possession of the product or article that it is a restricted article.

This action will be reflected by regulatory changes that will be published in the Federal Register for public comment in accordance with the provisions of the Administrative Procedures Act.

**/s/ Paul R. Eggert**  
**for**

Richard L. Dunkle  
Deputy Administrator  
Plant Protection and Quarantine